



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-------------------------------------|-------------|----------------------|---------------------|------------------|
| 10/672,670 | 09/26/2003 | Justin Francke | B-5245 621289-1 | 9802 |
| 36716 | 7590 | 06/13/2005 | EXAMINER | |
| LADAS & PARRY | | | CHANG, YEAN HSI | |
| 5670 WILSHIRE BOULEVARD, SUITE 2100 | | | ART UNIT | |
| LOS ANGELES, CA 90036-5679 | | | PAPER NUMBER | |

2835

DATE MAILED: 06/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/672,670

Applicant(s)

FRANCKE ET AL.

Examiner

Yean-Hsi Chang

Art Unit

2835

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7-16 and 18-21 is/are rejected.
- 7) ☒ Claim(s) 6 and 17 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claims 4-5, 9, 11, 15-16 and 20 are objected to because of the following informalities: The "the tip" in claims 4 and 15, "the repulsive magnetic force" in claims 5 and 16, "the inclined angle" in claims 9 and 20, and "the opposite side" in claim 11 lack antecedent bases. Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 10-12 and 21 are rejected under 35 U.S.C. 102(b) as being anticipated by Kono (US 6,229,694 B1).

Kono teaches a notebook computer (1, fig. 5) comprising: a main body (13) with a cavity (13A) and a multimedia device (9), a monitor (2) pivoted to the main body, a multimedia controller (18) having at least one key (shown in fig. 5, not labeled) to control the multimedia device, and connected to the main body (see col. 8, lines 10-11), movable between a first position (not shown) and a second position (shown in fig. 5),

Art Unit: 2835

wherein the multimedia controller received in the cavity when the multimedia controller is in the first position, and the multimedia controller appears when the multimedia controller is in the second position (claims 1 and 11-12); and wherein the multimedia device is a disc driver (see col. 5, lines 21-23) (claims 10 and 21).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 2 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kono in view of Kim (US 5,825,614).

Kono discloses the claimed invention except the multimedia controller being pivoted to a side surface of the notebook computer.

Kim teaches a notebook computer (100, fig. 2) comprising a multimedia controller (200, a keyboard may be a multimedia controller) having at least one key (shown in fig. 2), being pivoted to a side surface of the notebook computer.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the device of Kono with the multimedia controller taught by Kim for saving of work area of a desk when not in use and for easily being transported.

6. Claims 7-9 and 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kono in view of Hosoi et al. (US 4,951,241).

Kono discloses the claimed invention except a handle pivoted to the main body at a side closed the monitor.

Hosoi teaches a notebook computer (fig. 9) comprising: a main body (100), a monitor (300) pivoted to the main body, and a handle (400) connected to the main body at a side closed to the monitor (shown in fig. 7) (claims 7 and 18); wherein the handle is pivoted to the main body and movable between a first angle (shown in fig. 6) and a second angle (shown in fig. 5) (claims 8 and 19); and wherein when the handle is fixed the first angle, handle protrudes downward from the main body (shown in fig. 7), changing the inclined angle (θ) thereof (claims 9 and 20).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the device of Kono with the handle taught by Hosoi for ergonomic purposes.

Allowable Subject Matter

7. Claims 3-6 and 14-17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Art Unit: 2835

8. The following is a statement of reasons for the indication of allowable subject matter: The best prior art of record, Kono (US 6,229,694 B1), chuang (US 6,341,060 B1), Hosoi et al. (US 4,951,241), and Kim (US 5,825,614), taken alone or in combination, fails to teach or fairly suggest a notebook computer comprising: a notebook computer comprising: a switch on a main body of the notebook computer, wherein when the switch is pressed, the multimedia controller appears as set forth in claims 3 and 14; and wherein the multimedia controller has a LCD module as set forth in claims 6 and 17. Claims 4-5, and 15-16 are dependent claims from claims 3 and 14, respectively.

Correspondence

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yean-Hsi Chang whose telephone number is (571) 272-2038. The examiner can normally be reached on 07:30 - 16:00, Monday through Friday.


If attempts to reach the examiner by telephone are unsuccessful, the Art Unit phone number is (571) 272-2800, ext. 35. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications

Art Unit: 2835

is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-8558.

Yean-Hsi Chang
Primary Examiner
Art Unit: 2835
June 9, 2005



YEAN-HSI CHANG
PRIMARY EXAMINER